

# **Exhibit B**

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF MICHIGAN  
3 SOUTHERN DIVISION  
4 — — —

4 IN RE: AUTOMOTIVE PARTS  
5 ANTITRUST LITIGATION MDL NO. 2311  
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7 STATUS CONFERENCE / MOTION HEARING

8 BEFORE THE HONORABLE MARIANNE O. BATTANI  
9 United States District Judge  
10 Theodore Levin United States Courthouse  
11 231 West Lafayette Boulevard  
12 Detroit, Michigan  
13 Wednesday, February 12, 2014

12 APPEARANCES:

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1 MR. SQUERI: Your Honor, respectfully may I respond  
2 to --

3 THE COURT: I didn't let him finish, but you can  
4 respond for two minutes.

5 MR. SQUERI: Your Honor, the reason that I want to  
6 respond to Counsel's comments is we would take strong issue  
7 with the suggestion that somehow they are being kept from  
8 merits discovery. Again, we provided them our DOJ production  
9 16 months ago. And they -- and they are serving, we have  
10 responded to interrogatories on merits issues. Their  
11 document requests that they served on us that we are meeting  
12 and conferring on relate to merits issues. The fact that,  
13 you know, there is a stay with respect to other parts doesn't  
14 change the fact that they are able to continue with the  
15 discovery in this case, and they will be able to take  
16 Rule 30(b)(6) depositions that are all going to be relevant  
17 to the class-certification issue.

18 THE COURT: Okay. I have heard enough. Thank you.

19 MR. SQUERI: Thank you.

20 THE COURT: I mean, what it all comes down to is we  
21 don't know yet what we don't know, we don't know where we are  
22 going here. I have no problem with plaintiffs' proposition  
23 that after the stay is lifted within 30 days you meet and  
24 confer and come up with a schedule, or you come to the Court  
25 and the Court will make it and it may be that it will be six

1 months from then. I'm not disagreeing with what defendants  
2 propose, that the six months would be enough, but I need to  
3 know more about what is happening with this discovery, and I  
4 just don't know it yet. I do not have a feel for your  
5 discovery. I know that plaintiffs may have eaten up the  
6 12 million pages but I'm not getting anything from them about  
7 what it means.

8 So, you know, I think we need to know a little bit  
9 more. I do think we need to have a definite plan and  
10 schedule for our class certification, I agree with that  
11 wholeheartedly, I just think that we need to wait a little on  
12 that schedule, but I don't think plaintiffs should take the  
13 position or take the belief from me that you are going to  
14 have all kinds of time now because I'm not granting exactly  
15 what defendant says. I'm just saying I will wait those  
16 30 days and see what you come up with, but you are not having  
17 unlimited discovery, we need to move on this. So when we are  
18 thinking six months, that sounds good, it may be nine months,  
19 I don't know, but that's kind of what I'm thinking. I just  
20 need to wait and see what that is going to be. Let's do  
21 that, let's do the 30-day meet and confer. Okay. Thank you.

22 MR. HANSEL: Turning to the fourth issue, Your  
23 Honor?

24 THE COURT: The amendment?

25 MR. HANSEL: The amendment and joinder of the